Internationally wrongful acts can be composed of repetitive conduct, involving multiple organs of the state and multiple acts extending in time. The International Law Commission has taken this phenomenon into account, in Article 15 of the Draft Project on the Responsibility of States for Internationally Wrongful Acts, through the notion of « composite act ». It defines the composite act as « a series of actions or omissions defined in aggregate as wrongful », that extend over the whole period during which the acts are committed.

If this notion has been used by arbitral tribunals in the field of investments, other qualifications have been preferred by the Human Rights Courts, such as « practices of violations », « continuing violations » or « systemic violations ». The study of this case law highlights the broad variety of consequences of repetitive conduct : repetition can be taken into account to assess the gravity of a wrongful conduct, to determine its moment and duration, but also to prove the intention of the state to deliberately violate some international obligations.

One can then wonder if the framing of repetitive conduct in the case law highlights a fragmentation, depending upon the area of international law. Is it possible to make some different categories of repetitive conduct, involving similar patterns and consequences?

Laura Letourneux will discuss her PhD thesis, that explores how the repetition of conduct affects the application of the law of international responsibility.

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